

MESSAGE NO: 7125305

MESSAGE DATE: 05/05/2017

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 09/07/2010

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Countervailing duty scope determination on aluminum extrusions from the People's Republic of China (C-570-968)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Ferguson Enterprises, Inc. Commerce issued a final scope determination on 04/20/2017 that Ferguson Enterprises, Inc.'s towel bars, towel rings, and toilet paper holder kits which Ferguson Enterprises, Inc. imports are not within the scope of the countervailing duty order on aluminum extrusions from the People's Republic of China (C-570-968).

2. Commerce determined that Ferguson Enterprises, Inc.'s towel bars, towel rings, and toilet paper holder kits are outside the scope of the order because they are "finished good kits" excluded from the order. Therefore, Ferguson Enterprises, Inc.'s towel bars, towel rings, and toilet paper holder kits are not within the scope of the countervailing duty order on aluminum extrusions from the People's Republic of China. Ferguson Enterprises Inc.'s towel bars, towel rings, and toilet paper holders excluded from the order include only the following:

Towel Bar Kits:

The kits in the 28 Series Bath Accessories contain only aluminum extrusion towel bars, zinc alloy die-cast posts, and mounting/holding hardware.

- 18 INCH Towel Bar Kit, Brushed Nickel, 28 Series, Product Number PF2800BN
- 18 INCH Towel Bar Kit, Polished Chrome, 28 Series, Product Number PF2800CP
- 18 INCH Towel Bar Kit, Oil Rubbed Bronze, 28 Series, Product Number PF2800ORB
- 24 INCH Towel Bar Kit, Brushed Nickel, 28 Series, Product Number PF2890BN
- 24 INCH Towel Bar Kit, Polished Chrome, 28 Series, Product Number PF2890CP
- 24 INCH Towel Bar Kit, Oil Rubbed Bronze, 28 Series, Product Number PF2890ORB

The kits in the 67 Series Bath Accessories contain only aluminum extrusion towel bars, zinc alloy

die-cast posts and flanges, and mounting/holding hardware.

- 18 INCH Towel Bar Kit, Brushed Nickel, 67 Series, Product Number PF6700BN
- 18 INCH Towel Bar Kit, Polished Chrome, 67 Series, Product Number PF6700CP
- 18 INCH Towel Bar Kit, Oil Rubbed Bronze, 67 Series, Product Number PF6700RB
- 24 INCH Towel Bar Kit, Brushed Nickel, 67 Series, Product Number PF6770BN
- 24 INCH Towel Bar Kit, Polished Chrome, 67 Series, Product Number PF6770CP
- 24 INCH Towel Bar Kit, Oil Rubbed Bronze, 67 Series, Product Number PF6770RB

Towel Ring Kits:

The kits in the 28 Series Bath Accessories contain only aluminum extrusion towel rings, zinc alloy die-cast posts, and mounting/holding hardware.

- Towel Ring Kit, Brushed Nickel, 28 Series, Product Number PF2851BN
- Towel Ring Kit, Polished Chrome, 28 Series, Product Number PF2851CP
- Towel Ring Kit, Oil Rubbed Bronze, 28 Series, Product Number PF2851ORB

The kits in the 67 Series Bath Accessories contain only aluminum extrusion towel rings, zinc alloy die-cast posts and flanges, and mounting/holding hardware.

- Towel Ring Kit, Brushed Nickel, 67 Series, Product Number PF6751BN
- Towel Ring Kit, Polished Chrome, 67 Series, Product Number PF6751CP

Toilet Paper Holder Kits:

These kits consist of only aluminum extrusion toilet paper holders, zinc alloy die-cast posts, and mounting/holding hardware, which include steel springs. These kits may be imported under the following model numbers:

- Toilet Paper Holder Kit, Brushed Nickel, 28 Series, Product Number PF2831BN
- Toilet Paper Holder Kit, Polished Chrome, 28 Series, Product Number PF2831CP
- Toilet Paper Holder Kit, Oil Rubbed Bronze, 28 Series, Product Number PF2831ORB

3. For all entries of Ferguson Enterprises, Inc.'s towel bars, towel rings, and toilet paper holder kits not within scope that remain unliquidated on or after 09/07/2010, CBP shall terminate

suspension and liquidate entries of product not within scope which were entered, or withdrawn from warehouse, for consumption.

4. Refund any cash deposits relating to the towel bars, towel rings, and toilet paper holder kits described above.

5. These instructions constitute notice of the lifting of suspension of liquidation of entries of towel bars, towel rings, and toilet paper holder kits entered, or withdrawn from warehouse, for consumption on or after 09/07/2010.

6. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated countervailing duties before the date of publication of the countervailing duty order. Interest shall be calculated from the date payment of estimated countervailing duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of aluminum extrusions from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OVI:MJH.)

9. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party